

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5171 OF 1993

Office Notes, Office Memoranda of :
coram, appearances, Court's Orders: Court's or Judge's orders
or directions and Registrar Orders:

None for the Petitioners.

Ms.Bharucha for the Respondents.

CORAM : H.L. GOKHALE &
J.P. DEVADHAR, JJ.

DATE : 20TH DECEMBER 2006

P.C. :

1. This petition reached for hearing on 13th December 2006 when nobody was present for the Petitioners. The matter was adjourned to 14th December 2006 to afford an opportunity once again. The matter has reached today. Today also, nobody is present for the Petitioners. Ms.Bharucha is present for the Respondents.

2. In the circumstances, petition is dismissed for non-prosecution. Rule is discharged.

3. When the petition was admitted, the Petitioners were directed to give

an additional bank guarantee to the extent of 25% of the disputed amount and bond for 75% of the disputed amount. In the event adjudication is completed by now (which, in all probability, must have been) and if there is any claim of the Collector of Customs, it will be open to the Respondents to encash the bank guarantee, which they will do after 6 weeks.

(H.L. GOKHALE, J.)

(J.P. DEVADHAR J.)